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FISCAL IMPACT STATEMENT

LS 6633

BILL NUMBER: HB 1117

NOTE PREPARED: Feb 22, 2006

BILL AMENDED: Feb 21, 2006

SUBJECT: Environmental Law.

FIRST AUTHOR: Rep. Wolkins

FIRST SPONSOR: Sen. Gard

BILL STATUS: CR Adopted - 2nd House

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) *Task Force:* This bill eliminates the Interagency Groundwater Task Force and the municipal Waste Collection and Transportation Vehicle Registration Program operated by the Department of Environmental Management (IDEM). The bill changes reporting requirements for a person transporting solid waste in a vehicle to a final disposal facility in Indiana for disposal. The bill also makes it permissive rather than mandatory for the Solid Waste Management Board to adopt rules imposing a fee on the disposal or incineration in a final disposal facility in Indiana of solid waste generated outside Indiana.

Landfill Located in a County Without Zoning: In a county without zoning, the bill allows the county or a municipality in the county to enter into a host agreement. With respect to a new landfill or waste site located in a county without zoning and for which a host agreement has not been entered into, the bill allows the county fiscal body to establish a disposal fee that does not exceed \$2.50 per ton and allows use of the revenue only for infrastructure related to the landfill.

Indianapolis Financed Waste Disposal: The bill applies the restriction that a waste disposal facility financed by Indianapolis must accept waste regardless of whether the waste was collected by the city only if the financing occurs after the term of the current Indianapolis financing.

Effective Date: July 1, 2006.

Explanation of State Expenditures: (Revised) *Task Force:* The Interagency Groundwater Task Force consists of ten members, of whom half are state employees. All members of the Task Force may be reimbursed for mileage, which was set at \$0.34 per mile as of October 2005. However, only the lay members are entitled to

receive the \$50 per diem. The Task Force is required to have one meeting every four months. In CY 2005 it was scheduled to have four meetings in Indianapolis.

IDEM provides staff for the Task Force and would experience a decrease in administrative, per diem, and mileage reimbursement expenses if the Task Force was repealed. No appropriations were made to the Groundwater Task Force account in the state General Fund for the past three biennia.

Landfill Located in a County Without Zoning: If the county establishes an additional disposal fee (not to exceed \$2.50), the fees are payable to IDEM. IDEM must remit the revenue to the county treasurer of the county in which the landfill is located.

Explanation of State Revenues:

Explanation of Local Expenditures: (Revised) *Landfill Located in a County Without Zoning:* In a county without zoning, the bill allows the county or a municipality in the county to enter into a host agreement. With respect to a new landfill or waste site located in a county without zoning and for which a host agreement has not been entered into, the bill allows the county fiscal body to establish a disposal fee that does not exceed \$2.50 per ton and allows use of the revenue only for infrastructure related to the landfill. Fees and delinquency charges are payable to IDEM. (See Local Revenues below.)

Indianapolis Financed Waste Disposal: The bill applies the restriction that a waste disposal facility financed by Indianapolis must accept waste regardless of whether the waste was collected by the city only if the financing occurs after the term of the current Indianapolis financing. The impact of this provision is indeterminable.

Explanation of Local Revenues: (Revised) *Landfill Located in a County Without Zoning:* With respect to a new landfill or waste site located in a county without zoning and for which a host agreement has not been entered into, the bill allows the county fiscal body to establish a disposal fee that does not exceed \$2.50 per ton. The impact on local revenue of this proposal is unknown because current fees that are assessed by specified districts are unknown. However, the county treasurer must deposit all fees and delinquency charges in a dedicated fund to be used only to pay the costs of constructing, improving, or maintaining infrastructure that supports or is otherwise related to the landfill at which the disposal fees are charged. The county treasurer must invest any money accumulated in the fund. Any interest received from investment of the money must be paid into the fund.

With respect to a landfill or waste site located in a county without zoning and for which there is a host agreement, the person that enters into the agreement with the county or municipality must agree, in exchange for permission to construct or operate a landfill, to do one or more of the following during the term of the agreement:

- (1) Make one or more payments in designated amounts to the county or municipality.
- (2) Construct, improve, or maintain infrastructure that supports or is otherwise related to the landfill.
- (3) Provide to the county or municipality other consideration that supports or is otherwise related to the landfill.

A county or municipality that receives a payment may use the revenue only for the construction, improvement, or maintenance of infrastructure that supports or is otherwise related to the landfill. The amount of revenue that

will be generated by payments is indeterminable.

State Agencies Affected: IDEM.

Local Agencies Affected: Certain counties and municipalities.

Information Sources: Groundwater Task Force website: www.in.gov/idem/water/groups/gwtf.html; State of Indiana List of Appropriations.

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